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May 23, 2007

## **VIA ELECTRONIC FILING & HAND DELIVERY**

Dr. Peter T. Dalleo Clerk of the Court United States District Court for the District of Delaware 844 King Street Wilmington, Delaware 19801

Re: NOTICE OF RELATED CASES

Cameron International Corporation v. Dril-Quip, Inc., C.A. No. 1:06-cv-00728-JJF (D. Del.) (closed May 3, 2007; pending implementation of order of transfer to the U.S. District Court for the Southern District of Texas).

Dear Dr. Dalleo:

The above-referenced case is now closed and subject to implementation of this Court's Order of May 3, 2007 (D.I. 21) granting transfer to the U.S. District Court for the Southern District of Texas. Attached for filing with the records to be transferred is this Court's copy of the Notice of Related Cases filed in the transferred district. Please file the attachment with the records to be transferred.

Respectfully,

/s/ Richard L. Horwitz

Richard L. Horwitz

RLH:nmt/797115/31110 Enclosure

cc: Counsel of Record

## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

United States Courts
Southern Discrete of Texas
Figure 1 1 2007

Michael N. Milby, Clerk

CAMERON INTERNATIONAL CORPORATION,

Plaintiff,

CIVIL ACTION NO.

٧.

JURY DEMANDED

DRIL-QUIP, INC.,

Defendant.

### NOTICE OF RELATED CASES

Pursuant to Local Rule LR 5.2, Defendant Dril-Quip, Inc. hereby advises the Clerk of current and recent litigation related to the above-captioned case, formerly identified as Civil Action No. 1:06-CV-00728-JJF, which was recently transferred by Judge Farnan of the U.S. District Court for the District of Delaware to the Southern District of Texas. See Exhibit A (copy of transfer order).

The related litigation currently or previously pending in the Southern District of Texas includes the following Related Cases assigned to Judge Nancy F. Atlas:

- (1) Cooper Cameron Corporation v. Kvaerner Oilfield Products, Inc., No. 4:97-cv-00155 (S.D. Tex.) (filed Jan. 17, 1997, closed Sept. 29, 2003); and
- (2) Kvaerner Oilfield Products, Inc. v. Cooper Cameron Corporation, No. 4:05-cv-00992 (S.D. Tex.) (filed Mar. 23, 2005; pending).

A completed Civil Cover Sheet listing these Related Cases is attached as Exhibit B.

The Related Cases and the present case involve the same patent owner, the same patent family, the same technology, and the same issues regarding patent invalidity, unenforceability, and claim construction. Because the Related Cases and the present case involve overlapping patents in suit and overlapping issues of fact and law, assignment to a single judge is likely to conserve judicial resources and promote an efficient determination of the actions.

Dated: May 11, 2007.

Respectfully submitted,

By:

Stephen H. Cagle

HOWREY LLP

1111 Louisiana, 25<sup>th</sup> Floor

Houston, TX 77002-5242

(713) 787-1400

(713) 787-1440 FACSIMILE

ATTORNEYS FOR DEFENDANT DRIL-QUIP, INC.

### **CERTIFICATE OF SERVICE**

I, Stephen H. Cagle, hereby certify that on May 11, 2007, a true and correct copy of the foregoing document was caused to be served on the following counsel of record, in the manner indicated below:

### Federal Express Delivery

Thomas Henry Kovach (#3964) Edmond D. Johnson (#2257) PEPPER HAMILTON LLP Hercules Plaza, Suite 5100 1313 Market Street P.O. Box 1709 Wilmington, DE 19899-1709

### Via Federal Express Delivery

William D. Belanger PEPPER HAMILTON LLP 101 Federal Street, Suite 1010 Boston, MA 02111-1817

Jack B. Blumenfeld (#1014) Rodger D. Smith II (#3778) MORRIS, NICHOLS, ARSHT & TUNNELL LLP 1201 N. Market Street P.O. Box 1347 Wilmington, DE 19899 

## **EXHIBIT A**

Case 1:06-cv-00728-JJF Document 21 Filed 05/03/2007 Page 1 of 2

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

CAMERON INTERNATIONAL CORPORATION,

. . . . . .

Plaintiff,

: Civil Action No. 06-728-JJF

DRIL-QUIP, INC.

v.

Defendant.

### MEMORANDUM ORDER

Pending before me is Defendant's Motion To Transfer (D.I. 11). After considering Defendant's arguments and Plaintiff's responses, I conclude the Motion should be granted.

I have considered the factors the Third Circuit has held may be relevant to the exercise of my discretion and find that the convenience of the parties and witnesses and the interests of justice will be furthered by a transfer to the Southern District of Texas.

Specifically, I find that both parties' principal places of business are located in the Southern District of Texas, and a substantial number of witnesses and documents are also in the Southern District of Texas. Also, I find that the remainder of the private and public factors that have been argued do not weigh strongly enough, individually or collectively, so as to tip the balance in favor of either party.

Case 1:06-cv-00728-JJF Document 21 Filed 05/03/2007 Page 2 of 2

THEREFORE, for the reasons cited above, Defendant's Motion
To Transfer (D.I. 11) is **GRANTED**.

May 3 , 2007

Date

UNITED STATES DISTRICT JUDGE

# EXHIBIT B

♦JS 44 (Rev. 11/04)

### CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS  CAMERON INT	ERNATIONAL CORPORATION	DEFENDANTS DRIL-QUIP, INC	·.	
(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)		NOTE: IN LANI	County of Residence of First Listed Defendant  (IN U.S. PLAINTIFF CASES ONLY)  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.	
(n) Attornovio (Dim. Name	Address, and Telephone Number)	Attorneys (If Known)		
• • • •	PER HAMILTON LLP, Hercules Plaza, S	* * * * * * * * * * * * * * * * * * * *	HOWREY LLP, 1111	Louisiana, 25th Floor,
	DB 1709, Wilmington, DE 19899 302.77		02-5242 713.787.1400	
II. BASIS OF JURISD	ICTION (Place an "X" in One Box Only)	III. CITIZENSHIP OF P (For Diversity Cases Only)	RINCIPAL PARTIES	(Place an "X" in One Box for Plaintiff and One Box for Defendant)
U.S. Government Plaintiff	80 3 Federal Question (U.S. Government Not a Party)	P	IF DEF □ 1 Incorporated or Pr of Business In Thi	PTF DEF incipal Place
☐ 2 U.S. Government Defendant	<ul> <li>4 Diversity</li> <li>(Indicate Citizenship of Parties in Item III)</li> </ul>	Citizen of Another State	2 Incorporated and I of Business in A	
	in the second se	Citizen or Subject of a  Foreign Country	3 G 3 Foreign Nation	06 06
IV. NATURE OF SUIT				
CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument	PERSONAL INJURY  310 Airplane  362 Personal Injury  315 Airplane Product Liability  365 Personal Injury  365 Personal Injury	- G20 Other Food & Drug - 625 Drug Related Seizure - of Property 21 USC 881	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157	O 400 State Reapportionment O 410 Antitrust O 430 Banks and Banking O 450 Commerce
☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans	☐ 320 Assault, Libel & Product Liability Slander ☐ 368 Asbestos Person Liability Liability ☐ 340 Marine PERSONAL PROPER	al	PROPERTY RIGHTS  320 Copyrights  50 830 Patent  10 840 Trademark	☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit ☐ 490 Cable/Sat TV
(Excl. Veterans)	345 Marine Product 370 Other Fraud	☐ 690 Other	COOLLI GECHINITY	☐ 810 Selective Service
153 Recovery of Overpayment     of Veteran's Benefits     160 Stockholders' Suits     199 Other Contract     195 Contract Product Liability     196 Franchise	Liability	☐ 710 Fair Labor Standards Act  ☐ 720 Labor/Mgmt. Relations	SOCIAL SECURITY    861 HIA (1395ff)   862 Black Lung (923)   863 DiWC/DIWW (405(g))   864 SSID Title XVI   865 RSI (405(g))	850 Securities/Commodities/     Exchange     875 Customer Challenge     12 USC 3410     890 Other Statutory Actions     891 Agricultural Acts
REAL PROPERTY  210 Land Condemnation  220 Foreclosure  230 Rent Lease & Ejectment  240 Torts to Land	CIVIL RIGHTS PRISONER PETITIO  ☐ 441 Voting ☐ 510 Motions to Vaca		FEDERAL TAX SUITS  870 Taxes (U.S. Plaintiff or Defendant)  871 IRS—Third Party 26 USC 7609	892 Economic Stabilization Act     393 Environmental Matters     894 Energy Allocation Act     895 Freedom of Information     Act
245 Tort Product Liability  290 All Other Real Property	U 444 Welfare U 535 Death Penalty 445 Amer. w/Disabilities U 540 Mandamus & Ot Employment U 550 Civil Rights Other 555 Prison Condition			900Appeal of Fee Determination     Under Equal Access     to Justice     950 Constitutionality of     State Statutes
	Other Ovil Rights			I CHANGE
Ol Original O 2 R	tate Court Appellate Court	Reinstated or anoth Reopened (spec	ferred from er district [fy) <b>D. Del</b> . [Multidist Litigation	Appeal to District Judge from Magistrate Judgment
VI. CAUSE OF ACTION	I Driei describaton di cause:			
	Pl.: patent infringement; Def.: decl			ity, unenforceability
VII. REQUESTED IN COMPLAINT:	UNDER F.R.C.P. 23	N DEMANDS	JURY DEMAND	
VIII. RELATED CAS		F. Atlas	DOCKET NUMBER 4:	05cv992 (4:97cv155-clsd)
DATE 05/11/2007	signature of a Statut	TTORNEY OF RECORD		The state of the s
FOR OFFICE USE ONLY	0	0		***************************************
RECEIPT #	AMOUNT APPLYING IFP	JUDGE	MAG. JU	DGE

JS 44 Reverse (Rev. 11/04)

#### INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

### Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

- III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

- VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause, Do not cite jurisdictional statutes unless diversity.

  Example:
  U.S. Civil Statute: 47 USC 553
  Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.